

## A FATEFUL FALL.

A Portion of the New Capitol Building at Madison, Wisconsin, Collapses, Burying Forty Workmen in the Ruins—Five Already Dead; Many More Fatally and Seriously Injured, and Others Still Missing—A Heavy Accountability Resting Somewhere.

MADISON, Wis., Nov. 8.

This afternoon was witnessed the most terrible accident that has ever befallen the city. Ten minutes before two o'clock the great iron pillars supporting the roof of the second story of the balcony of the south wing of the Capitol building swung out of place, owing to defective masonry, allowing the entire south wall to fall with a terrible crash. Immediately the roof of the entire wing dropped in with a deafening roar, sending up a cloud of dust and broken timbers. The wild cries of the imprisoned and crushed workmen sent a thrill of horror throughout the capital. About forty masons, plasterers, laborers and carpenters were at work upon the wing, and they went down in the ruins. As soon as the dust settled willing hands were at work taking out the dead and injured. The following are all the names obtainable to-night:

### DEAD.

Bernard Higgins, laborer, fifty years old, Madison.  
William Edgar, mason, Madison, buried under debris; horribly crushed.  
Michael Zewank, mason, Madison, died after being taken out.  
William G. Jones, mason, Milwaukee, skull fractured; died since taken out.  
James Kelly, died after being taken out.

### INJURED.

Miles Maxwell, plasterer, of Janesville; badly cut on head.  
William Ross, plasterer, of Sheboygan; probably fatal.  
William Jung, carpenter, of Madison; badly scratched.  
Arthur Lynch, of Madison; head badly hurt; delirious.  
Ed. Bahn, mason, of Sauk City, single, aged 25; seriously cut.  
Ed. Page and J. O. Page, masons, of Middleton, young men, brothers; badly hurt.  
Ed. Kingsley, mason, Milwaukee; hurt about the head.  
James Dowell, mason, Madison, an old settler, aged sixty, both legs broken; will die.  
Patrick O'Laughlin, laborer, left arm broken and two temple cuts; will die.  
William Burke, Sr., laborer married, with four children, badly cut about the face and chest injured.  
Ed. Kinsella, bricklayer, of Milwaukee, cut about the head and back.  
Cyrus Schenck, of Shopshire, Rock County, cut on the back of head and in the right eye.  
Henry Diedereck, mason, of Milwaukee, left leg broken.  
Mike Zewank, Sr., mason, of Madison.  
J. Bamen, plasterer, of Madison, face and back injured.  
John Clark, plasterer, of Milwaukee, an arm broken.  
Nelson Best, carpenter, of Sun Prairie, hurt slightly.  
Pat Cary, of Madison, badly crushed.  
Ed. Glasen, laborer, of Madison, forearm of Turner, hurt by a box of glass falling on him.

A calling of the roll showed twelve men unaccounted for. The list of the dead will not, it is believed, fall below fifteen, although it will take until to-morrow to find out the condition of all those yet in the ruins.

One year ago last June a contract was let for the extension of the north and south wings of the Capitol building. Since that time work has been carried on, and up to today the outside masonry work of the south wing extension had been completed and the iron roof had been placed. The roof was supported by massive iron pillars and it was some defect in the masonry work upon which these pillars rested that caused the terrible catastrophe. It required but a slight movement to swing the roof from the support of the side walls, which had only just been completed, and the giving of but a few inches in the substructure effected the damage.

The two large upper stories were the ones that fell—the third and fourth. They were divided into large rooms for the Historical Society. Iron columns and girders were used. No timber whatever was used. Most of the wings are four stories high. The men were engaged to-day in building chimneys and arches on the upper floors.

The contract for the extension was taken by Bently & Son of Milwaukee and O. F. Nolan, of Janesville, the latter superintending the work.

A dispatch was received from Governor Rush at Bayfield, instructing all care to be taken of the dead and injured. He will return in the morning.

The Mayor of the city has ordered an inquest held in the morning. A full and rigid investigation will be had and the blame laid where it belongs.

Mr. Jones, of Madison, is the architect who drew up the plans, and H. C. Koch & Co., of this city, are the consulting architects. The firm had the contract to erect the north and south wings. The north wing is about completed, and the south is the wing that fell. The work was commenced a year ago last June and the contract price was \$188,000. Both wings were to have been completed March 1. The contractors were trying to hurry the work so as to close the building in before the November storms set in.

## The Zura Burns Murder.

LINCOLN, ILL., Nov. 8, 1883.

The Circuit Court room was crowded to-day by a solicitous audience as to the outcome of the Carpenter preliminary hearing. It has been a field day for the defense, who have scored numerous strong points, and by witnesses whose testimony cannot be shaken by any circumstantial evidence. The sensational part of the proceedings was the appearance of Mrs. Mary Carpenter, aged seventy-four years, mother of the defendant, on the witness stand. Her appearance is that of a well preserved and refined old lady and her account is particularly marked with the striking vernacular of the average Bostonian. Her voice is trembling and during her examination was listened to with breathless attention and a most rigid cross-examination failed to shake her testimony in any particular. When leaving the witness stand she passed by her son, took him by the hand, kissed him and passed on, after which for several minutes the prisoner sat with his face buried in his hands and wept. She has never seen her son behind the bars and it was the first meeting since his arrest. The testimony will be concluded to-morrow forenoon.

## Shocking Domestic Tragedy.

INDEPENDENCE, MO., Nov. 8.

The city of Independence was thrown into a great excitement to-day by a most horrible double murder and suicide. When the children of Henry Clay McGee arrived home from school they were horrified to find their mother lying dead on the floor, with her breast full of buck-shot, and, on entering the next room, they found their sister, a beautiful young lady of about twenty years, lying on the bed completely riddled with shot. On search being instituted for the murderer, the father was found upstairs, with an empty morphine bottle lying beside him. All had the appearance of being dead for several hours.

## Unconstitutionality of Partisan Legislation.

The Civil-Rights act, the most objectionable of the partisan measures which a Republican Congress fastened upon the white people of the United States, has just been decided to be unconstitutional by the Supreme Court. Of all the strictly political legislation of the period following the war, when partisan hate and sectional spite ran riot over the liberties and privileges of the citizen, this forced equality of the negro was the most unwise and least necessary.

When it was proposed to enfranchise the emancipated slave, and add to the voting privileges of the people a mass of ignorant and uneducated freedmen, influential persons both in and out of Congress gravely questioned the wisdom of such an act, but the interest of the Nation and the judgment of its people were not considered amid the partisan clamor of that period. The whole question was merely regarded from the standpoint of political advantage, and as it was easily seen that this mass of ignorance would be as putty in the hands of the Republican party managers, the force of law was quickly applied to the schemes of the leaders, and the negro appeared the political equal of the white man. That all just considerations of public policy were rudely ignored in that act of a Republican Congress all sensible people could readily see, and the mass of the people did see and loudly protest, but protests were of no avail when so evident a party gain was secured, and the consequence was the addition of a voting element which has done more to degrade the ballot than all other causes combined. But great as was this step a still greater was afterward taken. In order to thoroughly humiliate and punish the people among whom the majority of these ignorant negroes lived, the Civil Rights act was passed by a subsequent Republican Congress, and the social equality of the negro with the white race thereby proclaimed. Clothed with all the rights and privileges of citizenship, it would seem as if the negro and his party champions might have been content, but they were not, and the Civil Rights act was brought into requisition to complete the debt of gratitude for which the country was to pay the penalty.

For nearly twenty years the Republican party has had the benefit of that legalized partisan scheme; and now a Court almost entirely Republican has decided it to be unconstitutional. Every man blessed with good sense must have been satisfied in his own mind that no such legislation as forced a social equality between a superior and an inferior race could stand the test of an impartial inquiry, especially with such a Constitution as this country claims to be governed by. Such a sweep and stretch of partisan power might acquire the force of law and be obeyed because of the hostile political forces to which the war gave rise, and which were industriously kept alive for the most selfish party ends, but returning peace and good-will was certain to show the enormity of an act which leveled all proper distinction between an ignorant and an educated race, and forced an equality hateful and objectionable, almost impossible of practical effort, and certain to provoke the most strenuous opposition. It has always been claimed that it was unconstitutional, and this fact may have, and doubtless did, deter the negro from offensively pushing himself as the act in question permitted. It was impossible that such a measure, born of sectional antagonism and kept on the statute books by the force of party power, could remain when the reason and the judgment of men were allowed to exert their proper sway.

This unnecessary and unnatural political measure, now declared void and without effect by the highest judicial tribunal in the country, is not the only partisan law which Republican adventurers have saddled upon the country. The statute books teem with measures purely political and intended simply and solely for party benefit. So accustomed have they become to overriding the Constitution that its principles or enactments are a dead letter to them, and when an object is to be attained or a purpose carried out, they do not inquire whether it is unconstitutional or not, but whether it will advance party ends. Satisfied of this they plunge ahead, and, regardless of consequences, pursue the methods marked out by craft and intrigue. If the Republican party cared anything for public opinion, it would hide its dishonored head in the dust, since a Court of its own political faith has undone the work which its leaders gloried in accomplishing. But it has no more regard for public opinion than for law, and unless awakened to a realizing sense of its unworthiness by the lash of public indignation, it goes on scheming and flattering just as if it had a thousand years to live, and the country were to be forever at its mercy. This decision of the Supreme Court will, however, open the eyes of the people to the manner and methods of the Republican party. The lesson taught will not be a new one, for everybody at all conversant with public affairs knows that these manners and methods have violated constitutional provisions ever since the party has become an organized band of political speculators. They are now, however, confronted by a power greater in its sphere of operations than the dictates of a caucus. They will now learn, perhaps for the first time, that the States have rights which can not be overridden, and that the Constitution has a meaning which must be obeyed. Had they learned this lesson sooner, or been governed by patriotic considerations instead of setting at defiance all wholesome laws, the country would long ere this have resumed its wonted prosperity and the welfare of its citizens been greatly advanced. But it has run its race and is getting ready to go, and it is fitting that the period of its departure should be signalized by a vote of want of confidence from the highest legal tribunal in the many uneasy moments.—American Register.

—Mrs. Nolittell has told the Norristown Herald that her husband must have a very warm Irish friend, for on several occasions recently she has heard him murmur in his sleep the name of Pat Fluh.

—Lord Chief-Justice Coleridge says the Hudson is the most beautiful river in the world.—Troy (N. Y.) Times.

## MAHONE.

Come not, O bold Mahone,  
To Washington to grumble and to groan,  
When chill November's vote  
Shall leave you screaming in a sinking boat.  
Just then our handsome President will  
And let you drown.

Ohio tells the tale!  
No wonder that your bearded face grows  
pale,  
No wonder that your tools  
Begin to call themselves the worst of fools,  
As vanishes the guerdon of their toll,  
Virginia's spoil.

And whither will you go  
When comes your first and final overthrow?  
What can you ever claim  
From those whom you have overwhelmed  
with shame?  
How gladly will they then repudiate  
You and your fate!

You represent abroad  
A shameful bargain and a wretched fraud.  
Race war and neighbor's hate,  
The civil service in its worst estate;  
And no repentance ever can efface  
Your dark disgrace.

The President will then  
Be always busy with his facile pen;  
And your so recent friends,  
Because no longer you can serve their  
ends,  
Will sneer at you when you are over-  
thrown,  
Too bold Mahone!

—American Register.

## An Important Decision.

The decision rendered by the Supreme Court of the United States that the Civil Rights act is unconstitutional is one of the most important that has been delivered in many years. The decision was rendered in a number of cases from different parts of the country which were a year ago submitted to the Court on written arguments. These cases were practically test cases of the law of 1875, and the decision, which lacks but one vote of being unanimous, is correspondingly important. The law in question provided "that all persons within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities and privileges of inns, public conveyances on land and water, theaters and other places of public amusement, subject only to the conditions and limitations established by law, and applicable alike to citizens of every race and color, regardless of any previous condition of servitude." Penalties were provided for the violation of the act and provisions made for their enforcement in the Federal Courts. In fact exclusive jurisdiction was provided for the Federal District and Circuit Courts in cases arising under the law. The rights and privileges claimed by and denied to the colored persons in these cases by which this decision was occasioned were full and equal accommodations in hotels, in ladies' cars on railway trains and in the dress circles in theaters.

The decision of the Court holds "that Congress had no constitutional authority to pass the sections in question under either the Thirteenth or Fourteenth Amendment of the Constitution." The Fourteenth Amendment is prohibitory upon the States only, and that the legislation authorized to be adopted by Congress for enforcing the Amendment is not direct legislation on the matters respecting which the States are prohibited from making or enforcing certain laws or doing certain acts, but is corrective legislation necessary or proper for counteracting and redressing the effects of such laws or acts; that in forbidding the States, for example, to deprive any person of life, liberty or property without due process of law, and giving Congress power to enforce the prohibition, it was not intended to give Congress power to provide due process of law for the protection of life, liberty and property (which would embrace almost all subjects of legislation), but to provide modes of redress for counteracting the operation and effect of State laws obnoxious to the prohibition.

Congress, then, when it passed the Civil Rights bill in 1875, assumed that it had the power to secure for colored persons by direct legislation the full and equal enjoyment of the accommodations, "and privileges" accorded to others on railroad trains, on steamboats, in theaters, or, in fact, wherever they happened to be. The Amendment, it now appears, could not be so construed except so far as it might be necessary to counteract the prohibited legislation of the State. In these test cases before the Court it did not appear that any State had made the discrimination complained of by prohibited legislation, and consequently the unconstitutionality of the Civil Rights act was apparent.

There is no doubt that a prejudice exists in many quarters against the colored people, and that they are deprived of some of the advantages enjoyed by their white brethren; and, furthermore, there is no doubt that they have a right to a full enjoyment of the same privileges, but it is a question of grave doubt if the question of social privileges can be settled satisfactorily by legislation. The Supreme Court says the Federal Government has no business to tamper with the question, and the only thing left is recourse to the sound Democratic doctrine of States' Rights. If legislation can pleasantly affect the question then it should be State legislation. This decision then is additionally important in its bearing on the question of States' Rights. Federal legislation on matters of this nature is but another name for arrogance.—New Haven Register.

—Mrs. Lucy E. Phillips, of Rochester, recently observed a large hen-hawk take one of her flock in its talons and endeavor to fly off with it. In her attempt to rescue the hen the bird made an assault upon her, tearing her clothes and badly lacerating her face and hands. Mrs. Phillips finally succeeded in killing the bird with a blow from a stake. It measured, with wings extended, six feet four inches, the largest of its species ever seen in that vicinity.—Detroit Post.

—Prof. J. Lawrence Smith, the savant who was recently buried at Louisville, by his will forbade any of his friends to act as pall-bearers, because two citizens had died from strains received while bearing a coffin. Six men from a marble yard attended the funeral in their blouses and bore the coffin.—Louisville Courier-Journal.

—At Mansfield, O., Mrs. Alanson Allen, a wealthy widow whose husband died by an accidental fall a few weeks ago, told a friend that her four brothers had committed suicide, and she thought she would do it herself; and in the evening she did it.—Cleveland Leader.

# FALL AND

## WINTER

# GOODS!

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WORTH OF FALL AND WINTER GOODS,

Bought direct from the manufacturers and importers in Chicago, New York and Boston, under the most favorable circumstances, and we are perfectly safe in saying to the citizens of Dickinson and adjoining counties that we have the largest stock of general merchandise ever brought into Dickinson County, and we simply invite you to come and see for yourselves the truth of our statement.

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Thanking the public for past favors, we hope, by square dealing and close attention to business, to merit a continuance of the same.

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BERRY BROS.

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Mowers and Rakes VERY LOW to reduce their immense stock.

J. E. BONBRARKE HARDWARE COMPANY  
ARE NOW OFFERING WAGONS, BUGGIES, PLOWS, HARROWS, SULKY PLOWS, DRILLS, 5-TOOTH CULTIVATORS,